

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:) CASE NO.: 22-11748-AMC
)
)
Dia Cleveland,)
)
Debtor) CHAPTER 13

**OBJECTION OF CAPITAL ONE AUTO FINANCE,
A DIVISION OF CAPITAL ONE, N.A.
TO CONFIRMATION OF DEBTOR'S PROPOSED PLAN**

Capital One Auto Finance, a division of Capital One, N.A. ("COAF"), by and through its attorneys, Mester & Schwartz, P.C., files **Objection to Confirmation of Debtor's Proposed Plan** and states:

1. On May 20, 2017, Debtor Dia Cleveland, entered into a Retail Installment Sales Contract in the principal amount of \$23,638.84 (the "Contract") that referred and related to the purchase of a 2015 JEEP Cherokee Utility 4D Latitude 4WD 2.4L I4, V.I.N. 1C4PJMCB3FW583430 (the "Motor Vehicle").
2. COAF is the assignee of the Contract.
3. To secure the Contract, Debtor Dia Cleveland granted a first lien on the Motor Vehicle in favor of COAF.
4. On July 01, 2022, Debtor filed a Voluntary Petition under Chapter 13 of the United States Bankruptcy Code.
5. On August 01, 2022, Debtor filed a Proposed Plan (the "Plan").
6. The Chapter 13 Trustee has scheduled a Meeting of Creditors for September 09, 2022.
7. The plan lists the amount of the claim at \$7,319.00 at 6.50% interest.
8. As of the July 01, 2022, the balance on Capital One Auto Finance, a division of Capital One, N.A. claim was \$12,401.16.
9. The fair market value for the Motor Vehicle is \$13,900.00. See attached Exhibit C.
10. COAF is entitled to a secured claim of \$12,401.16 at 6.50% interest over the life of the plan.

11. For the foregoing reasons, COAF objects to confirmation of the Plan.

WHEREFORE **Capital One Auto Finance, a division of Capital One, N.A.**, respectfully requests this Honorable Court to deny confirmation of the Plan.

Respectfully submitted,

Mester & Schwartz, P.C.

BY: /s/ Jason Brett Schwartz
Jason Brett Schwartz, Esquire

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Dated: August 18, 2022